

## Article - Criminal Law

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§5–406.

(a) Schedule V consists of each controlled dangerous substance:

- (1) listed in this section;
- (2) added to Schedule V by the Department under § 5–202(b) of this title; or
- (3) designated as a Schedule V controlled dangerous substance by the federal government unless the Department objects under § 5–202(f) of this title.

(b) A substance is listed in Schedule V if the substance includes a compound, mixture, or preparation that contains the following narcotic drugs or their salts:

- (1) (i) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- (ii) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams;
- (iii) not more than 50 milligrams of ethylmorphine per 100 milliliters or per 100 grams;
- (iv) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;
- (v) brivaracetam;
- (vi) difenoxin preparations 0.5mg/25ug ATSO4/DU (MOTOFEN);
- (vii) ezogabine (potiga);
- (viii) lacosamide (vimpat);
- (ix) pregabalin (lyrica); or
- (x) pyrovalerone; and

(2) nonnarcotic active medicinal ingredients in sufficient proportion to confer on the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone.

(c) The Department may not add a substance to Schedule V under § 5–202 of this title unless the Department finds:

(1) the substance has a low potential for abuse relative to the substances listed in Schedule IV;

(2) the substance has currently accepted medical use in the United States; and

(3) abuse of the substance may lead to limited physical dependence or psychological dependence liability relative to the substances listed in Schedule IV.

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